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*Common Counsel for the IT Sites Cooperating
Generators Joint Defense Group and the Panoche
Joint Defense Group, members of which constitute
the Settling Defendants*

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

**CALIFORNIA DEPARTMENT OF TOXIC
SUBSTANCES CONTROL and the TOXIC
SUBSTANCES CONTROL ACCOUNT,**

Plaintiffs,

v.

EXXON MOBIL CORPORATION, et al.

Defendants.

Case No.: 2:21-cv-01739-DJC-JDP

**DEFENDANTS' STATEMENT OF NON-
OPPOSITION TO PLAINTIFFS'
MOTION FOR APPROVAL AND
ENTRY OF CONSENT DECREE**

Date: January 4, 2024

Time: 1:30 p.m.

Dept: 10 – 13th Floor

Judge: Honorable Daniel J. Calabretta

Trial Date: None

Action Filed: September 24, 2021

1 Defendants respectfully submit this Statement of Non-Opposition regarding the Proposed
2 Consent Decree, which was lodged with this Court on August 24, 2023. (ECF No. 85-1.)

3 Plaintiffs, the California Department of Toxic Substances Control and the Toxic Substances
4 Control Account (“Plaintiffs”), currently have a Motion for Approval and Entry of Consent
5 Decree between Plaintiffs and the Defendants set for hearing before the Court at 1:30 p.m. on
6 January 4, 2024.

7 Defendants do not oppose entry of the Consent Decree. In fact, they support entry and are
8 unaware of any opposition.

9 Further, because Defendants do not oppose entry of the Consent Decree and the Consent
10 Decree includes provisions with respect to notice, Defendants respectfully request that the Court
11 waive any appearance requirements by the newly added Defendants.¹

12 In accordance with the Court’s Standing Order in Civil Cases, Defendants note they wish
13 for the Consent Decree to be approved and entered without oral argument. If the Court wishes to
14 hold a hearing, Defendants respectfully request the hearing be remote per E.D. CA. Local Rule
15 174 (Fed. R. Civ. P. 83). Defendants are aware of the Court’s standing order which “generally
16 disfavor[s]” remote appearances, but respectfully request the Court’s approval of remote
17 appearance in this matter if a hearing is necessary.

18 [signature on the following page]
19

20 ¹ The “Newly Added Defendants” are parties which were added in the amended
21 complaints consisting of: Aerojet Rocketdyne, Inc.; Aramark Uniform & Career Apparel, LLC;
22 Arris Solutions, Inc.; AT&T Corp.; Atlantic Richfield Company; Beazer East, Inc.; Bio-Rad
23 Laboratories, Inc.; The Boeing Company; BP Products North America Inc.; Bridgestone
24 Americas Tire Operations, LLC; Broadcom Inc.; Chevron U.S.A. Inc.; CROWN Beverage
25 Packaging, LLC; Delta Tech Service, Inc.; The Dow Chemical Company; Evoqua Water
26 Technologies LLC; ExxonMobil Oil Corporation; ExxonMobil Pipeline Company LLC; Ford
27 Motor Company; Gallo Glass Company; General Electric Company; Georgia-Pacific LLC;
28 Honeywell International Inc.; HP Inc.; Intel Corporation; Levin Enterprises, Inc.; Lockheed
Martin Corporation; Mobil Exploration and Producing North America, Inc.; Mobil Producing
Texas & New Mexico Inc.; National Semiconductor (Maine), Inc.; New United Motor
Manufacturing, Inc.; Northrop Grumman Systems Corporation; PACCAR Inc.; Phillips 66
Company; PPG Industries, Inc.; The Procter & Gamble Manufacturing Company; Raytheon
Company; Renesas Electronics America Inc.; Sanmina Corporation; TE Connectivity
Corporation; Texaco Downstream Properties Inc.; Thermo Fisher Scientific Inc.; Union Oil
Company of California; United Technologies Corporation n/k/a RTX Corporation; USS-UIP,
LCC.

1 Dated: December 27, 2023

JACKSON WALKER LLP

2 /s/ Daniel E. Vineyard
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